

Exhibit 7

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

VOLUME 7 (A.M. portion)

1 Mr. Buckley.

2 MR. BUCKLEY: We submitted the Hauprich deposition
3 designations which you were supposed to get last night and
4 didn't.

5 THE COURT: All right. And I've looked at them and
6 we'll make copies. I've struck all the -- I've sustained the
7 objections to the three areas where -- which were in contest.
8 So -- I mean, I think there were only three. So I sustained
9 the objection to each of those, but I'll get you a copy of the
10 paper in a minute.

11 MR. BUCKLEY: All right.

12 THE COURT: All right. We're in recess.

13 NOTE: At this point a recess is taken; at the
14 conclusion of which the case continues in the absence of the
15 jury as follow:

16 JURY OUT

17 THE COURT: All right. Are we ready for our jury?
18 All right, Joe, let's get our jury.

19 MR. ALLAN: Yes, Your Honor, just to revisit the
20 issue before we broke yesterday with the 96 percent effective
21 that we think that Mr. Cadenhead will speak to. That was
22 subject to motion in limine number 7. And it related to, it
23 was a motion to preclude Cox and its experts from making that
24 very statement. And Your Honor granted it.

25 THE COURT: Okay.

1 MR. ALLAN: And the point is, Your Honor, is that
2 it's just -- it's unreliable testimony concerning the
3 effectiveness of the system.

4 I will further note, Your Honor, if you recall Mr.
5 Vredenburg's testimony where we went through that ticket and it
6 showed all the various steps that the person got and never got
7 past the e-mail warning, that proves that it's actually -- that
8 the system is not effective.

9 We moved to compel additional tickets during
10 discovery to help prove this and offset the 96 percent
11 effectiveness argument that Cox will make, and we lost that
12 motion.

13 So I think because of that motion to compel where we
14 tried to get additional information and Your Honor's ruling on
15 motion in limine number 7, they should be prevented from
16 introducing that evidence.

17 THE COURT: All right. Thank you, Mr. Allan.
18 Mr. Bridges.

19 MR. BRIDGES: Your Honor, if I recall correctly, a
20 lot of that motion in limine had to do with Mr. Rosenblatt's
21 statistics, and it was also tied -- I don't have the brief -- I
22 remember looking at the briefs a couple days ago. It was sort
23 of all about the DMCA. And the DMCA is out.

24 And these are topics that are appropriate for cross
25 as to whether these were effective or not, but I think Cox

1 should be allowed to put its understanding into evidence. And
2 this is part of a presentation, industry presentation that he
3 gave.

4 THE COURT: Mr. Cadenhead has no knowledge of whether
5 they are correct or incorrect, right?

6 MR. BRIDGES: Oh, I believe he does, Your Honor,
7 because --

8 THE COURT: Well, he --

9 MR. BRIDGES: -- he was overseeing the process and he
10 compiled these -- this report. That's my understanding. I
11 believe he has some knowledge and views on that, and I think
12 that's entirely appropriate for cross-examination.

13 THE COURT: All right. I'll allow the testimony, and
14 you can cross-examine on it.

15 All right, Joe, let's get our jury.

16 NOTE: At this point the jury returns to the
17 courtroom; whereupon the case continues as follows:

18 JURY IN

19 THE COURT: All right. Please be seated.

20 Good morning, ladies and gentlemen. I hope you had a
21 good evening. Did you all heed my advice not to do any
22 research or investigation or talk about the case? All right.
23 Thank you very much.

24 All right. We were in the middle of Mr. Cadenhead's
25 direct examination last night when we broke. Is he with us